

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter G. Brown

Appl. No. To Be Assigned
(Continuation of Appl. No. 09/373,794;
Filed: August 13, 1999)

Filed: Herewith

For: **System And Method For Simulation
And Modeling Of Batch Process
Manufacturing Facilities Using Process
Time Lines**

Confirmation No. To Be Assigned

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 1606.0010003

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not

be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form **[OR]** Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment Form **[OR]** Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a

communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☒ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 09/373,794, filed August 13, 1999, which is relied upon for an earlier filing date under 35 U.S.C. § 120. **Thus, copies of these documents are not attached.** 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert Sokohl
Attorney for Applicant
Registration No. 36,013

Date: _____

11/4/03

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
 1606.0010003

APPLICATION NO.
 To Be Assigned

APPLICANT: Peter G. BROWN

FILING DATE: Herewith

GROUP
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,427,126	06/27/1995	CARNEY et al.			
	AB1	6,063,292	05/16/2000	LEUNG			
	AC1	5,058,043	10/15/1991	SKEIRIK			
	AD1	6,143,092	11/07/2000	STRAUB et al.			
	AE1	6,071,356	06/06/2000	OLSEN			
	AF1	6,038,486	03/14/2000	SAITOH et al.			
	AG1	6,004,025	12/21/1999	KUBIAK et al.			
	AH1	5,891,260	04/06/1999	STREETS et al.			
	AI1	5,680,877	10/28/1997	EDSTRAND et al.			
	AJ1	5,405,452	04/11/1995	ANDERSON et al.			
	AK1	5,157,595	10/20/1992	LOVRENICH			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Kasko et al., "Integrated process control for cluster tools using an in-line analytical module", 1997 IEEE Int. Symp. Semiconductor Manufacturing, 1997, pp. P41-P44.
	AS	1	Ober, O.N., "Automated pharmaceuticals manufacturing", IEE Coll. Mechatronics, 1995, pp. 1/1-1/2.
	AT	1	Daubas, B. et al., "Combined simulation of hybrid processes", Humans, In and Technology, 1994 IEEE International Conference on Systems, Man, and Cybernetics, 2-5 October 1994, pp. 320-325.

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DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	4,975,865	12/1990	Carrette <i>et al.</i>			
	AB2	5,006,992	04/1991	Skeirk			
	AC2	5,237,508	08/1993	Furukawa <i>et al.</i>			
	AD2	5,402,526	03/1995	Bauman <i>et al.</i>			
	AE2	5,428,525	06/1995	Cappelaere <i>et al.</i>			
	AF2	5,666,297	09/1997	Britt <i>et al.</i>			
	AG2	5,980,078	11/1999	Krivoshein <i>et al.</i>			
	AH2	5,343,387	08/1994	Honma <i>et al.</i>			
	AI2	5,408,405	04/1995	Mozumder <i>et al.</i>			
	AJ2	5,440,478	08/1995	Fisher <i>et al.</i>			
	AK2	5,442,562	08/1995	Hopkins <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>2</u>	Hwang, Y.K., et al., "Motion planning for robotic spray cleaning with environmentally safe solvents", Proc. 1993, IEEE/Tsukuba Int. Workshop on Advanced Robotics, 8-9 November 1993, pp. 49-54.
	AS	<u>2</u>	Dean, G., "Meeting the demands of batch control", IEEE International Conference, Control 1991, pp. 881-886.
	AT	<u>2</u>	Berstein <i>et al.</i> , "A Simulation-based Decision Support System for a Specialty Chemicals Production Plant," <i>Proc. of the 1992 Winter Simulation Conference</i> , 1992, pp. 1262-1270.

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3	5,463,555	10/1995	Ward <i>et al.</i>			
	AB3	5,594,639	01/1997	Atsumi			
	AC3	5,666,585	09/1997	Nagira <i>et al.</i>			
	AD3	5,757,659	05/1998	Arai <i>et al.</i>			
	AE3	5,969,973	10/1999	Boume <i>et al.</i>			
	AF3	4,796,194	01/1989	Atherton			
	AG3	5,148,370	09/1992	Litt <i>et al.</i>			
	AH3	5,164,905	11/1992	Iwasaki <i>et al.</i>			
	AI3	5,255,197	10/1993	Iida			
	AJ3	5,375,062	12/1994	Aoki			
	AK3	5,402,367	03/1995	Sullivan <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>3</u>	Ehrlich <i>et al.</i> , "Making Better Manufacturing Decisions with AIM," <i>Proc. of the 1996 Winter Simulation Conference</i> , 1996, pp. 485-491.
	AS	<u>3</u>	Faccenda <i>et al.</i> , "A Combined Simulation/Optimization Approach to Process Plant Design," <i>Proc. of the 1992 Winter Simulation Conference</i> , 1992, pp. 1256-1261.
	AT	<u>3</u>	Ketcham <i>et al.</i> , "A Generic Simulator for Continuous Flow Manufacturing," <i>Proc. of 1988 Winter Simulation Conference</i> , 1988, pp. 609-615.

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA4	5,450,346	09/1995	Krummen <i>et al.</i>			
	AB4	5,495,417	02/1996	Fuduka <i>et al.</i>			
	AC4	5,737,581	04/1998	Keane			
	AD4	5,774,875	06/1998	Medeiros <i>et al.</i>			
	AE4	5,841,660	11/1998	Robinson <i>et al.</i>			
	AF4	6,311,095	10/2001	Brown			
	AG4	6,311,093	10/2001	Brown			
	AH4						
	AI4						
	AJ4						
	AK4						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL4						Yes No
	AM4						Yes No
	AN4						Yes No
	AO4						Yes No
	AP4						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>4</u>	Leitch <i>et al.</i> , "A Real-Time Knowledge Based System for Product Quality Control," <i>International Conference on Control</i> , 1988, pp. 281-286.
	AS	<u>4</u>	Litt, J., "An Expert System to Perform On-Line Controller Tuning," <i>IEEE Control Systems Magazine</i> , Vol. 11, Issue 3, April 1991, pp. 18-23.
	AT	<u>4</u>	Sam G. Taylor <i>et al.</i> , APICS, <u>Process Flow Scheduling: A Scheduling Systems Framework for Flow Manufacturing</u> , Copyright 1994 (168 Pages).

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	AA5						
	AB5						
	AC5						
	AD5						
	AE5						
	AF5						
	AG5						
	AH5						
	AI5						
	AJ5						
	AK5						

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	AL5						Yes No
	AM5						Yes No
	AN5						Yes No
	AO5						Yes No
	AP5						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>5</u>	Sam G. Taylor <i>et al.</i> , APICS, <u>Can Process Flow Scheduling Help You?</u> , pp. 44-46, March 1996.
	AS	<u>5</u>	Copy of International Search Report from PCT Appl. No. PCT/US00/22104, 2 pages, mailed January 25, 2001.
	AT	<u>5</u>	International Search Report for PCT Appl. No. PCT/US98/13055.

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